

OFFICE OF THE DISTRICT ATTORNEY

FEDERAL CREDIT MANAGEMENT

In the April 1964 issue of

SAN FRANCISCO DISTRICT
SCHOOL DISTRICT

STATION EAST
For General or Special

Interview of William H. H. H.

Volume:

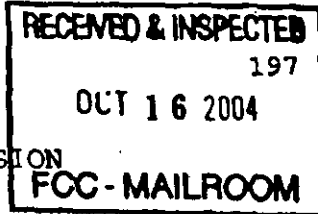
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FEDERAL CREDIT MANAGEMENT
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554



In Re Applications of:) MB DOCKET No.: 04-191
SAN FRANCISCO UNIFIED)
SCHOOL DISTRICT) File No.: EB-04-IH-0270
)
STATION KALW(FM))
For Renewal of License)

Suite 200
Renne, Sloan, Holtzman & Sakai
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San Francisco, CA

Tuesday,
September 28, 2004

The parties met, pursuant to the notice of the

Judge, at 9:04 a.m.

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Federal Communications Commission	
Docket No. 04-191	Exhibit No. 15
Presented by	SFUSD
Disposition	Identified <u>S/d 6/05</u>
	Received <u>S/d 6/05</u>
	Rejected
Reporter	<u>Eric Starks</u>
Date	<u>5/26/05</u>

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I N D E XWITNESSES:PAGE

BILL HELGESON

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Testimony Began: 9:04 a.m.
Recess Began: 1:12 p.m.

Testimony Ended: 3:35 p.m.
Recess Ended: 2:09 p.m.

1 P R O C E E D I N G S

2 MR. SHOOK: Would you swear in the witness.

3 COURT REPORTER: Will you raise your right hand
4 please, sir.

5 Whereupon,

6 WILLIAM HELGESON

7 was called as a witness herein and, having been duly sworn,
8 was examined and testified as follows:9 E X A M I N A T I O N

10 BY MR. SHOOK:

11 Q Could you state your name please?

12 A William Helgeson.

13 Q And just so you know who you're talking to, my
14 name is James Shook, I'm an attorney with the Federal
15 Communications Commission.

16 A Okay.

17 Q And my partner, this is Dana Leavitt, she's also
18 an attorney with the Federal Communications Commission.

19 A Okay.

20 Q And what is your current home address?

21 A My current home address is 184 Bonview Street, San
22 Francisco, California.

23 Q How long have you resided at that address?

24 A Since 1996.

25 Q Prior to that time?

1 A Prior to that time I lived at 1085 South Van Ness,
2 San Francisco, California.

3 Q What is your current occupation?

4 A I'm currently employed as the Operations Manager
5 at KALW Radio.

6 Q How long have you held that position?

7 A I've been employed at KALW since 1987, not the
8 entire time in that position though.

9 Q Why don't you give us a brief rundown of your
10 employment history at KALW?

11 A Okay. I started volunteering. I was a listener
12 to KALW, it's a public radio station, and I called up one
13 day and asked if I could volunteer. They said yes. And I
14 started volunteering there maybe one day a week, one after
15 noon a week, and this was approximately 1986. A situation
16 came up there where they were looking for somebody to fill
17 in, the kinds of things I volunteered for were general
18 office duties, typing, envelope stuffing, answering phones
19 and so on. A situation came up where they were looking to
20 hire somebody two days a week for awhile, and they offered
21 it to me. I accepted. Over the period of that year, two
22 days became maybe three, sometimes if somebody was on
23 vacation they asked me to come in for and at some point
24 there, I don't remember the exact time, it became a full
25 time job.

1 Q So, you transitioned from part time to full time
2 what, sometime in the early the early 1990s?

3 A No, this was over a very short period of time, I
4 would say by 1988.

5 Q Okay.

6 A Yeah.

7 Q And when you obtained a full time position what
8 title did you have at that point?

9 A It was, the official title, this was since it was
10 covered by the San Francisco Unified School District, it was
11 a classification called a Senior Clerk Typist.

12 Q And being in the government we have some idea
13 about those things.

14 A It's a government, I think it was called, the
15 classification number was either 1424 or 1426, I don't
16 recall.

17 Q And that's supposed to --

18 A That was like the number that pertained to that
19 particular job, yeah.

20 Q And then what happened after that?

21 A I was full time in that position until 1990,
22 approximately, I don't have the exact date but, 1994
23 approximately, when the General Manager at the time, his
24 name was Jerry Jacob, saw that I had, over that period of
25 time, had taken on more duties that really didn't fit the

1 description of a senior clerk typist, and he put me in the
2 position, the vacant position at the time of Program
3 Manager, which was a position that was open at KALW, in the
4 slot that was not filled, and so they put me in that
5 position called Program Manager.

6 Q How long did you remain as Program Manager?

7 A In the slot called Program Manager, I'm still to
8 this day in that slot.

9 Q But --

10 A I'm not the -- there's a traditional description
11 of a Program Manager that I don't fulfill as far as radio
12 programs. I'm still doing my job as -- within the radio
13 ~~station I've always had the title of Operations Manager~~
14 since that time.

15 Q Oh. When you became Program Manager, you
16 basically also took on the duties of Operations Manager at
17 that time?

18 A I had the duties of Operations Manager. So there
19 wouldn't be confusion within the station, they never called
20 me the Program Manager. I never was -- Program Manager was
21 a title that the School District had for that position, it
22 was called a 35, either a 3532 or 3533, I can't recall,
23 Program Manager. We called it, we referred to it within the
24 station as the Operations Manager.

25 Q Approximately when did you take on the duties of

1 Operations Manager?

2 A Over the period of time there, I took on more and
3 more duties. There wasn't anybody called Operations Manager
4 before me, just over the period of time I was there I took
5 on more duties and I was given -- the General Manager
6 referred to me, Jerry Jacob at the time said we'll call you
7 the Operations Manager.

8 Q So, at what point in time roughly did your duties
9 coalesce to the point where you became the Operations
10 Manager and those duties stayed roughly the same from then
11 on forward?

12 A I would say around that, just over the period of
13 ~~time I took on more responsibility over the period of 1989,~~
14 1990, 1991, and to the point where when Jerry Jacob became
15 General Manager in 1992, and he saw all that I was doing,
16 and he saw that I was still called senior clerk typist, he
17 thought that that, you know, just didn't fit the, he thought
18 it was far too clerical for the kind of responsibilities
19 that I was doing at the station.

20 Q So let's go back --

21 A It wasn't like at one day, okay, Monday you start
22 being Operations Manager.

23 Q Right. So, let's go back to this period around
24 1994 and could you give us, instead of giving us a title,
25 could you sort of enumerate or elaborate for us the types of

1 duties that you had at this point?

2 A Certainly. They were business manager functions.
3 I wasn't on the radio. The station staff consisted of the
4 General Manager, consisted of a Chief Engineer, there were
5 radio announcers who actually were on the air doing the
6 announcing, playing the radio shows. There was another
7 person who worked in the front office who worked until 1991,
8 approximately 1991, and then due to budget cuts her position
9 was eliminated. So, effectively I was the sole
10 administrative person in the office at that time, other than
11 the General Manager.

12 Q So, as an administrative person, would you have
13 some responsibility for station budgets?

14 A As far as -- there were some positions as far as
15 providing to the General Manager, trying to, you know,
16 collecting information regarding how much money we had
17 brought in over a period of time from donations. We were,
18 like I say, a public radio station so our money came in from
19 doing fundraisers and from listener contributions. And so
20 also, you know, as far as finances, as far as expenses,
21 where the money is going. So, there was some budget items,
22 yes.

23 Q Well, in terms of money coming in, could you give
24 me some idea of how that was handled, from listener
25 contributions, for example, would checks come to the radio

1 station and the radio station would have to do something
2 with those checks or did the checks go someplace else, how
3 did that work?

4 A The checks, contributions came generally almost in the
5 form of checks from listeners, or from credit card
6 contributions from listeners. Checks we would collect the
7 checks, post them. We had a computer system, a database
8 which would keep track of every individual's contribution.
9 And we would collect those checks into a daily deposit or if
10 it was slow maybe you'd do one every several days rather
11 than once. And take those, I would take those checks down
12 after they were, the information off them, who provided
13 them, on our system, I would take them down to the San

14 Francisco Unified School District accounting department and
15 they would from there take them and put them in the bank.

16 Q Would they credit, would the San Francisco Unified
17 School District credit the station in some fashion or this
18 just went into an SFUSD general account?

19 A They credited them. They noted how much money
20 KALW brought in, yes. And from there they took the checks
21 and put them in a School District account, once the
22 particular amount was recorded as KALW revenue.

23 Q Now, in addition to listener contributions, were
24 there other sources of funds for the operation of the radio
25 station?

1 A There were several other sources of funds. There
2 was a very small amount of underwriting from businesses,
3 again very small, I would say one, two, three percent. We
4 were very small. We didn't have professional development
5 staff that would go out and find underwriters. Another
6 source of funds was we would get an annual grant from the
7 Corporation for Public Broadcasting.

8 Q Now, with respect to the money that came in from
9 the corporate underwriters, as you mentioned it was a very
10 small percentage, would the system be similar in terms of
11 individual contributions in that checks would come in or
12 credit card data would come into the radio station and then
13 the radio station would have to do something with that?

14 A We'd record the check, you know, record that the
15 check was received, and again the check was taken down to
16 the School District and it was again credited to our
17 account, internal account at the School District as revenue
18 to KALW, and the check was then deposited by School District
19 accounting staff.

20 Q And what happened with respect to the Corporation
21 for Public Broadcasting money, how was that handled?

22 A Similarly. When the check was received, the check
23 was sent down to the School District and again deposited,
24 noted how much it was and then deposited by the School
25 District accounting.

1 Q Now, in terms of cash or the cash equivalents,
2 would the three sources that you mentioned, the individual
3 listener contributions the corporate contributions and the
4 Corporation for Public Broadcasting, were those the
5 exclusive sources of income for KALW?

6 A At that time there was an additional source, I
7 mean as far as what I would say, there was a contract with a
8 sub-carrier, and sub-carrier is a -- it gets a little
9 technical here but, the FCC allows radio stations to
10 sublease a fraction of their bandwidth to another provider
11 who can provide programming other than what the station
12 itself is providing. KALW and San Francisco Unified School
13 District had one of those sub-carrier contracts and that
14 contractor was a Chinese language broadcaster which provided
15 and had a contract with the SFUSD, a lease, effectively it
16 was a lease or a contract, and there were funds generated by
17 that lease and contract.

18 Q And I take it that was a very small percentage of
19 the overall income?

20 A I want to say it was in the realm, it was of maybe
21 \$30,000, somewhere in the \$30,000 to \$40,000 range at that
22 time.

23 Q Not having any familiarity with the total budget
24 for KALW, was that equivalent to what corporate underwriters
25 were paying, or was this more than?

1 A On that was more, that was well more than
2 corporate, yes, we weren't getting anything like that as far
3 as corporate money.

4 Q So, this would be what, anywhere in the nature of
5 ten percent of your total income?

6 A I would say it was under ten, given our overall
7 budget, it was under ten percent.

8 Q But greater than five percent?

9 A Between five and ten.

10 Q How long did that arrangement with the sub-carrier
11 lessee go on?

12 A It's still going on, however, the funds from it go
13 ~~directly to the School District~~ and, as I understand it, are
14 not shared with, not considered part of the KALW budget at
15 this time. There was a change at some point where the
16 School District decided that funds that were generated by
17 that lease would stay with the School District.

18 Q Now, would it be -- was 1994 the earliest at which
19 point you were in a position to basically see how much money
20 was coming into the radio station on an annual basis, or was
21 it a different year that this happened?

22 A It was around there that I paid attention to it, I
23 would say, at one to two, maybe I could have seen it but I
24 wasn't really paying attention to it.

25 Q And so 1994 is roughly the time when you started

1 to pay attention?

2 A About that yeah.

3 Q And have you paid similar attention since that
4 time?

5 A I've been involved in the budget process since
6 that time.

7 Q I guess what I'm getting at is, are you one of the
8 people who has an understanding of how much money is
9 actually coming into the radio station on an annual basis?

10 A Yes.

11 Q And that has been the case since 1994 basically?

12 A Uh-hum.

13 Q Just for the Court Reporter's benefit, either yes
14 or no. I mean I understand when you said uh-hum --

15 A Oh, okay, I'm sorry, okay.

16 Q We all want -- I take it you meant yes?

17 A Yes.

18 Q Okay. So, from 1994 to the present can you give
19 us an idea of roughly how much money was coming into the
20 radio station on an annual basis?

21 A It has been, it has come in, I really don't
22 remember, you know, exact numbers back ten years ago.

23 Q I fully appreciate that.

24 A I would say at this point our budget, we have been
25 at around the one million dollar overall funds for the last

1 four or five years, it's been going up. For the current
2 fiscal year we put together a budget of about 1.3 or 1.4
3 million and so it's been gradually going up. Like I say, it
4 was hovering in the one to 1.1 million range for the last
5 three or four years, as I recall.

6 Q And so that one to 1.1 million is the money that's
7 coming in?

8 A Roughly coming in, going out, yes.

9 Q So, now I was going to approach it from the money
10 that was going out. Back in 1994 did you have any
11 involvement in overseeing or determining, or at the least
12 seeing what money was going out in terms of expenditures on
13 ~~behalf of the radio station?~~

14 A Yes.

15 Q And was your involvement, has your involvement in
16 that process changed at all in the last ten years?

17 A No.

18 Q So, basically you're now in a position not only to
19 see how much money is coming into the radio station but you
20 also see how much money is going out, in terms of how much
21 the radio station has to spend to stay operational?

22 A Sure. Yes.

23 Q Now, if you could kind of give me a rough overview
24 of what it is the radio station spends its money on?

25 A It spends its money on salaries, benefits, the

1 acquisition of radio programs from sources, national
2 sources, national distributors, independent producers. Also
3 spends its money on general office expenses. Spends its
4 money producing a program guide for listeners. Spends its
5 money, some money, on acquiring items, we call them
6 premiums, when people make donations of a certain amount to
7 the radio stations we'll sometimes offer them t-shirts or
8 coffee mugs, and so this is an item. There's some
9 engineering equipment obviously that needs to be paid for.
10 So, that would be generally where the radio station spends
11 its money.

12 Q What would be the biggest ticket items for the
13 radio station?

14 A Salary, wages, wages and benefits.

15 Q Has that aspect changed much over the last ten
16 years, in other words, have salaries been the largest
17 component of KALW expenditures during that period?

18 A I would say yes.

19 Q And they would constitute what, roughly 60 percent
20 of the budget?

21 A I'd be speculating, I don't --

22 Q Okay, you're not involved in that fine a detail?

23 A I'm sorry, no, I don't, I don't want to put a
24 number, I would be pulling a number out of the air that I
25 don't want to do.

1 Q Okay. Would there be somebody else at the radio
2 station who would have a better handle on the current
3 expenditures and the percentages of the various aspects?

4 A I believe the General Manager would, yes.

5 Q Now, if I use the term Public Inspection File,
6 would you know what I'm referring to?

7 A Yes.

8 Q And roughly, in your own words, try to describe
9 what you understand the Public Inspection File to be?

10 A It was a place where documents were available that
11 members of the public could walk in, items, documents
12 related to the radio station, that the public was allowed to
13 see, just on asking.

14 Q Did there come a time when you obtained any
15 responsibility for maintaining the station's Public File?

16 A I was never asked by a General Manager to
17 specifically be responsible for the Public File.

18 Q Did there come a time when you took on that
19 responsibility just because you believed it was necessary or
20 appropriate to do so?

21 A Not while there was another General Manager there.

22 Q If I'm wrong in interpreting it this way just tell
23 me. From what you're telling me I get the impression that
24 the person who was responsible for maintaining the station's
25 Public File then would be the General Manager?

1 A Yes.

2 Q And that was always the case during your tenure at
3 KALW?

4 A Yes.

5 Q Now, have any persons other than the General
6 Manager also been responsible for maintaining the station's
7 Public File?

8 A Not that I know or am aware of.

9 Q Now, even though you weren't personally
10 responsible for maintaining the Public File, did you
11 nevertheless have any duties that involved your assisting in
12 the maintenance of the Public File?

13 A If I was asked to by the General Manager specific
14 things, yes.

15 Q And can you give us a rough idea of when this
16 first may have happened?

17 A I'm not certain when that first might have
18 happened but I remember being asked, it was around an
19 Ownership Report and preparing it, at that time preparing
20 it, unlike now where it's prepared online, at that time it
21 was prepared by typing up the information on a form.

22 Q I remember typewriters.

23 A Okay.

24 Q I still have one.

25 A So, that's what I remember.

1 Q And could you put a year around this?

2 A I want to say it was either the late eighties or
3 the early nineties.

4 Q Now, did you type more than one such report or was
5 it only that one report and then you didn't have any further
6 involvement after that?

7 A It may have been more than one. They weren't
8 reports that were done very often, as I recall. What
9 generated having to fill out a report at that time was a
10 change in the make-up of the San Francisco Unified School
11 District Board and the individuals who made up that board.
12 And that would generally happen, it wouldn't happen very
13 often, perhaps at an election time. So, it might only
14 happen once every two years.

15 Q Do you know how it came about that you ended up
16 typing this report, were you told to do it by the General
17 Manager or did the station's lawyer at the time say
18 something that led to the preparation of this report, how
19 did this come about?

20 A I recall being asked by the General Manager to
21 type it out. Like I say, since our office staff was so
22 small, we were also, I was, in addition to whatever other
23 tasks, did some pretty much general office functions,
24 typing, answering phones and so on. So, yes, typing was, I
25 would have typed out the form, it would have been very

1 common to type out of a form that I was asked to type out.

2 Q And so that would have been, your recollection at
3 this point is that was at the request of the station's
4 General Manager?

5 A Um-hum.

6 Q Yes?

7 A I think -- yes, yes.

8 Q And do you remember which General Manager this may
9 have been?

10 A I believe at first it was Daniel Del Solar, who
11 was General Manager up from the time I started at KALW up
12 until 1992.

13 ~~Q Did any subsequent General Manager ask you to~~
14 prepare an Ownership Report?

15 A I believe Jerry Jacob asked me to type a station
16 Ownership Report.

17 Q Could you give us a rough idea of when it was that
18 Jerry Jacob was General Manager at KALW?

19 A He was General Manager, he succeeded Del Solar in
20 1992, and I believe he was General Manager, I can't remember
21 the exact, somewhere in 1994-1995, in that period there he
22 stopped being General Manager.

23 Q Did anybody other than Mr. Del Solar and Mr. Jacob
24 ask you to prepare Ownership Reports for the station?

25 A I don't remember after that. And I may have but I

1 do not remember for certain.

2 Q In the case of Mr. Del Solar --

3 A But --

4 Q Go ahead.

5 A I was going to say, since then I have filled them
6 out, I remember just recently.

7 Q When you filled it out just recently --

8 A Online.

9 Q -- was that the first time that you had done
10 something like that in awhile?

11 A No, I think we actually filled them out, there was
12 some in 2001.

13 Q With respect to the renewal application that the
14 station submitted in 1997 to the Federal Communications
15 Commission, there was an Ownership Report that accompanied
16 that renewal application, did you have any involvement in
17 the preparation of that Ownership Report?

18 A I don't remember being involved in that Ownership
19 Report.

20 Q Now, in the case of the Ownership Report that, if
21 I'm not fairly interpreting your testimony please say so,
22 that you seem to recall, you know, having prepared such a
23 report at the request of Mr. Jacob. Do you recall what
24 happened after you prepared the report, in other words, how
25 was the report handled, where did it go after it left your

1 hands?

2 A Well, it was signed off by either the General
3 Manager or a School District Administrator and then the
4 whole point was to file it or send it to the Federal
5 Communications Commission office in Washington. And so to
6 the best of my recollection we made photocopies of what we
7 had typed out and that was kept at the station. And the
8 original was sent to the FCC in Washington.

9 Q Now, would it have been sent directly to the FCC
10 or would the ordinarily course have been to send it to the
11 station's attorney who in turn would have then filed it on
12 behalf of the station at the FCC?

13 A I don't remember the procedure.

14 Q Now, does the name Ernest Sanchez mean anything to
15 you?

16 A Yes.

17 Q And what, how do you know that name?

18 A Ernest Sanchez is an attorney retained by the
19 School District to deal with KALW legal matters.

20 Q And over what period of time, to your
21 understanding, was Mr. Sanchez involved in this matter with
22 the radio station?

23 A Since the early nineties. He was working, as I
24 recall, for a large law firm in Washington D.C., but first
25 there was one name, Baker, I forget the other name, it was

1 Baker something was the law firm, if I recall. And then he
2 left that law firm and started his own practice. And we,
3 the School District, stayed, continued to use his services
4 once he setup his own practice.

5 Q Now, one thing that I hadn't asked you before, and
6 it's more in the way of background and I just overlooked it,
7 was if you could briefly describe for us your education post
8 high school?

9 A High school --

10 Q Post high school.

11 A Post high school, okay.

12 Q We're all assuming that we all got out of high
13 school.

14 A Okay. I went to high school. I went to City
15 College of San Francisco for two years, Junior College, and
16 then I transferred to the University of California at
17 Berkeley, got a Bachelors Degree in the School of Business
18 Administration there. At that time I then went into
19 business, I took over my uncle, excuse me, my step-father
20 owned a bar in San Francisco and I took over, he wanted to
21 retire and I basically took over running of the bar for
22 several years. And then I got out of that business. I
23 wrapped up that business and then I took a little bit of
24 time off for a couple of years, had some money set aside so
25 I took off a couple of years. And then I worked for a small